

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

**AMENDMENTS TO THE DRAWINGS**

Applicants submit herewith proposed drawing changes to add Figs. 2A-2B and to correct a number of typographical errors in the previous drawings. In particular, the Examiner objected to the drawings for failing to show claimed features recited in claims 6-8 and 19. Figs. 2A-2B show these features more clearly. Moreover, a number of reference numerals (e.g. 14, 60) in Fig. 2 are within the drawing and therefore difficult to see. The reference numerals have been moved outside the drawing. Additionally, the binding screw 78 and threaded opening 76 associated with bore 16 were improperly labeled in Fig. 3. These reference numerals have been changed to correspond to the correct reference numerals used in the specification. The Examiner is respectfully requested to approve these proposed drawing changes. No new matter is being introduced by the revised drawings.

Attachment: Replacement Drawing Sheets  
Annotated Sheets Showing Changes

Application No. 10/797,447  
Response dated April 19, 2005  
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**REMARKS**

This paper is submitted in response to the Office Action mailed January 19, 2005. Claims 1-8, 11 and 19 remain in the present application. In view of the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

In the Office Action, the drawings were objected to under 37 C.F.R. § 1.83(a) as failing to show every feature of the invention specified in the claims. In particular, the Office Action asserts that the features of claims 6-8 and 19 are unclear as they are not shown in the drawings. Applicants have added new Figs. 2A-2B and amended the description to conform the drawing and specification to the original disclosure in the claims. The drawings have also been amended to correct certain typographical errors. Applicants submit that no new matter is being added by the additional drawings, amendments to the drawings and amendments to the specification. The Examiner is therefore respectfully requested to approve these additional and revised drawings and withdraw the objection.

Claims 1-8, 11 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,848,913, issued to Ashcraft, in view of U.S. Patent No. 6,663,443, issued to Smith et al. The Office Action cites Ashcraft for a connector for mounting to a transformer stud having a plurality of dividing walls defining a plurality of channels each capable of receiving a conductor, a plurality of binding screws capable of

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

being tightened to secure the conductors within the channel and a bore to couple with the stud of the electrical transformer. The Office Action then properly concedes that Ashcraft does not teach or suggest the connector having a plurality of cap members. The Office Action then cites the Smith et al. patent as teaching a connector with cap members that are removably engaged with the channels.

The Office Action does not establish a prima facie case of obviousness. A prima facie case of obviousness is established when the teaching from the prior art itself would appear to have suggested the plain subject matter to a person of ordinary skill in the art. Thus, to combine references to make a prima facie case of obviousness, it is required that there must have been some teaching or suggestion in either one or both of the references, or knowledge generally available to one of ordinary skill in the relevant art which would have led one skilled in the art to combine the relevant teachings of the references. In the instant case, there is no teaching, suggestion or inference of modifying the Ashcraft disclosure by including cap members, such as those shown in Smith et al., to the connector. Furthermore, there is also no teaching, suggestion or inference of modifying the Smith et al. disclosure so as to couple with a transformer stud, but instead is directed solely to a pad or spade mount connector. The critical question is whether there is something in the prior art reference(s) as a whole to suggest the desirability, and thus the obviousness, of making the combination. There is no such suggestion in the Ashcraft and Smith et al. references. The fact that the prior art may be modified in the way

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

suggested in the Office Action is not determinative of a proper obviousness-type rejection.

The prior art must suggest the desirability of making the modification. Again, the Office Action identifies no teaching in the art that would suggest the modification that is argued as obvious.

The rejection of the claims is further improper because it uses impermissible hindsight reconstruction to arrive at the claimed invention. In other words, the Applicants' claims have been used as a blueprint to try and combine bits and pieces of the prior art together to make the § 103(a) rejection. It must be recognized that a combination of prior art is improper and not obvious if the only suggestion or reason of combining the teachings of the prior art is found in the present application. It is interesting to note that the rejection recognizes that the recitation of cap members is completely lacking from the Ashcraft reference. Simply filling in the void with a prior art reference that shows cap members without the required teaching or suggestion to make the desired modification is improper. For this further reason, the rejection is improper and should be withdrawn.

Another reason, related to the one above, the rejection is improper is that the Office Action is not considering the teaching of the references as a whole but is simply picking and choosing certain features (as part of the Office Action's hindsight reconstruction) in order to arrive at the claimed invention. For instance, the Smith et al. reference teaches and claims a lay-in connector having a detachable tang that may be secured to the connector body. Every embodiment shown in the reference includes a tang

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

and a tang is a required element in most of the claims. The tang incorporates multiple mounting openings to secure the connector to a spade mount bushing on a transformer. Spade mount connectors, as disclosed in Smith et al., and stud mount connectors, as disclosed by Ashcraft and the claimed invention, are completely different configurations for electrically coupling a connector with a transformer. The Office Action makes no mention of a tang or of a spade mount connector (as it teaches away from a stud mount connector) but picks the reference solely for its lay-in feature. Thus, the Office Action fails to consider the reference as a whole and is simply picking and choosing a feature so as to arrive at the claimed invention. For this further reason, the rejection is improper and should be withdrawn.

Yet another reason the rejection of the claims is improper based on the Ashcraft and Smith et al. references is that combining the teachings in the way suggested by the Office Action results in a device that would not work for its intended purposes. In particular, the connector (10; 70) disclosed in Ashcraft includes an insulating cover (12; 72) that encapsulates the connector. Moreover, the encapsulating cover (12; 72) is designed to prevent the set screws (33-36; 110-113) from separating from the connector (10; 70). As shown in Figs. 1-3 of Ashcraft, the insulating cover includes a lip over the top of the set screws so as to prevent any separation from the connector. Additionally, Ashcraft specifically states "a set screw cannot come out of the insulating cover..." (Col. 4, Ins. 49-50). Ashcraft also states "It should be noted that a connector made by the process of the

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

present invention is encapsulated to capture the set screws within the insulating cover and the set screws cannot be lost or otherwise disconnected." (Col. 7, Ins. 6-9). Thus, combining the teachings of the two references would result in a connector having cap members encapsulated by the cover such that the cap members could not be removed or separated from the connector. This combination would then result in a connector that fails to function for its intended purpose. For this further reason, the rejection is improper and should be withdrawn.

Another reason, related to the one above, the rejection of the claims is improper is that, as stated above, Ashcraft specifically states that the set screws are not to be separated from the connector. Thus, Ashcraft teaches away from the claimed connector as the cap members and binding screws are removably engaged with the connector in the claimed invention. For this additional reason, the rejection is improper and should be withdrawn.

#### **CONCLUSION**

In view of the foregoing response, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If there is any issue that remains which may be resolved by telephone conference, the Examiner is invited to contact the undersigned in order to resolve the same and expedite the allowance of this application.

Application No. 10/797,447  
Response dated April 19, 2005  
Reply to Office Action of January 19, 2005

Applicants are of the opinion that no additional fee is due as a result of this response. If any petition is due or any additional fee is required necessary to complete this communication, please consider this to be a request for such and charge any additional fees to Deposit Account No. 23-3000.

Respectfully submitted,

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# ANNOTATED SHEET SHOWING CHANGES

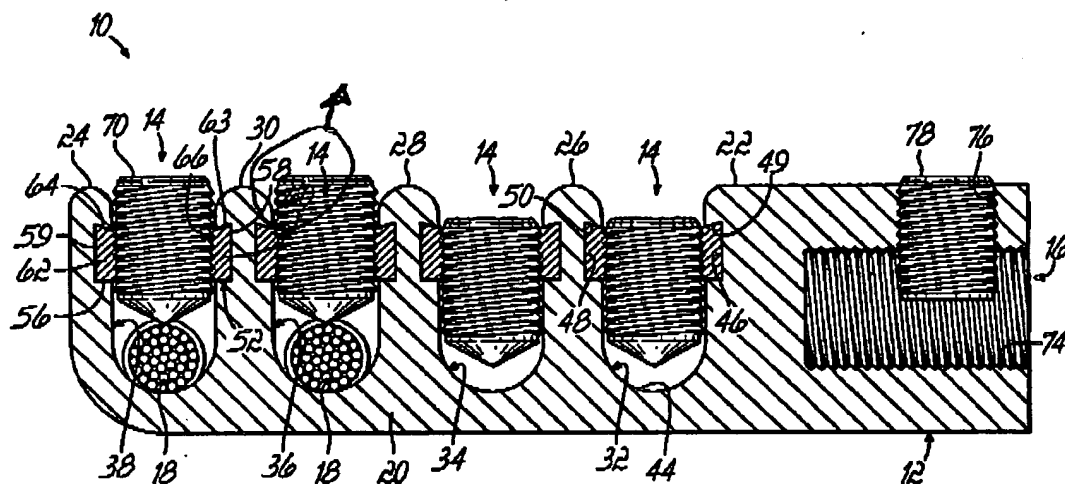


FIG. 2

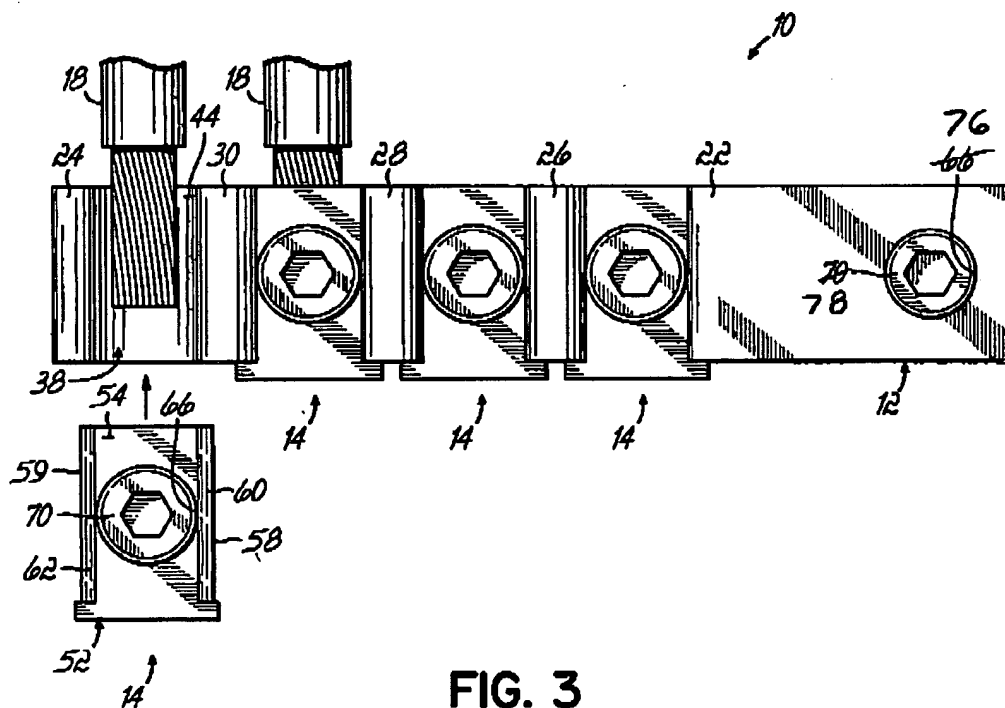
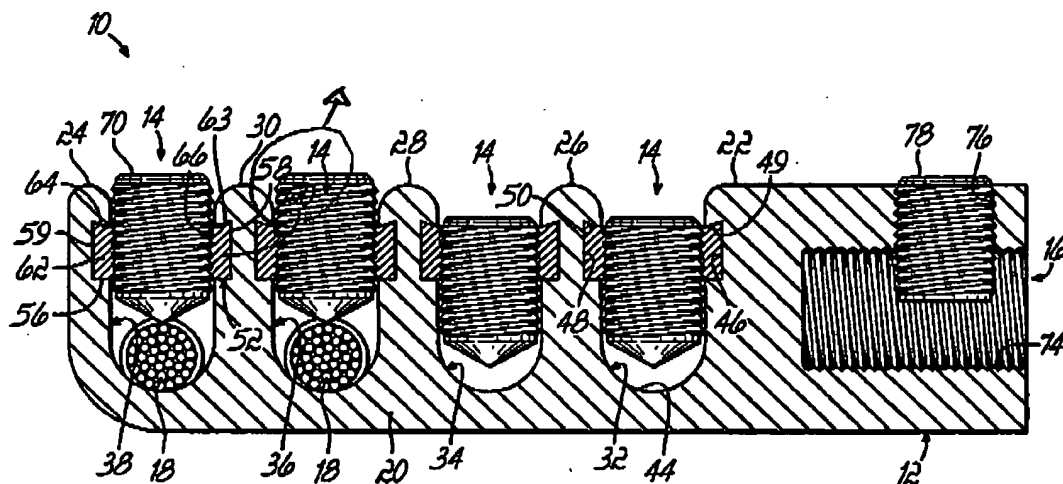


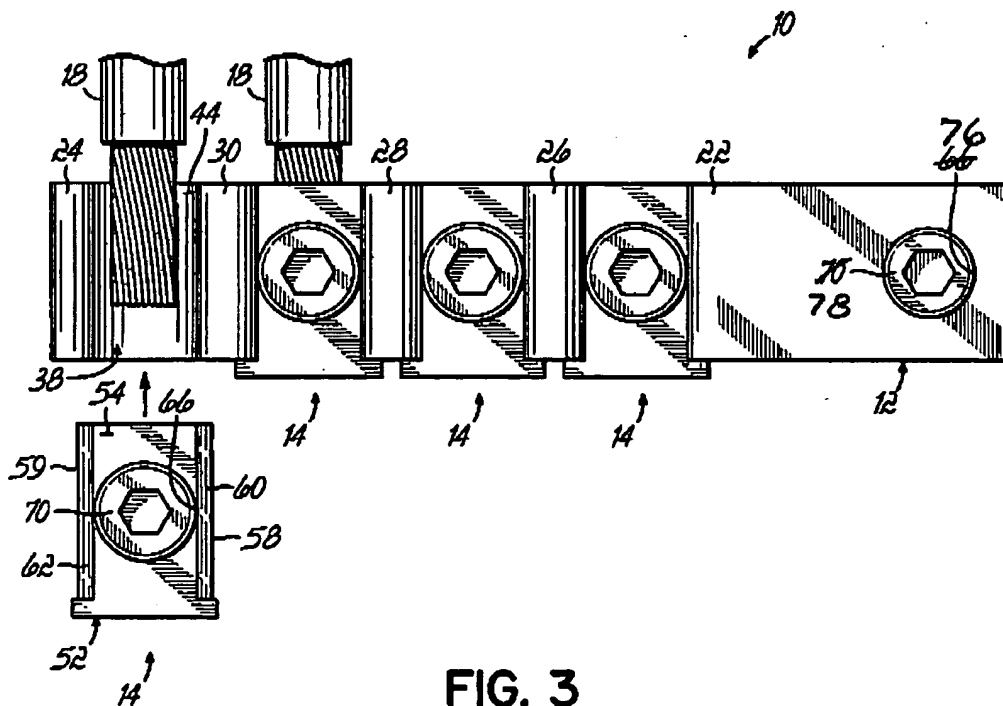
FIG. 3



# ANNOTATED SHEET SHOWING CHANGES



## FIG. 2



## FIG. 3